

## Behaviour Standards Policy

### 1. Introduction

The Eastern Waste Management Authority (East Waste) sets out the standards of behaviour which all staff and contractors, who are employed or engaged by East Waste, are required to demonstrate in the performance of their duties and functions.

In addition to this Policy, East Waste staff and contractors are also bound by the following:

- the applicable Position & Person Description for their role.
- the terms of any contract of employment or engagement.
- the applicable Award or Enterprise Agreement; and
- any other relevant East Waste Policies and Procedures.

### 2. Purpose

- 2.1. East Waste staff and contractors must use their best endeavours, at all times, to ensure that they have current knowledge of the documents referred to above and any legal requirements and best practices relevant to their position.
- 2.2. East Waste will provide ongoing training and guidance to staff and contractors, regarding the expected behavioural standards which are set out in and required by this Policy and other relevant East Waste Policies and Procedures.
- 2.3. Failure to comply with this Policy, expectations set out in Position Descriptions, or individual employment contracts, may result in investigation and/ or disciplinary action being taken.

### 3. Key Principles

- 3.1. East Waste staff and contractors, have a commitment to serve the best interests of all Member Councils and customers to which they provide services.
- 3.2. East Waste staff and contractors will at all times carry out their duties and functions conscientiously, with due care and diligence and to the best of their ability.
- 3.3. East Waste staff and contractors, will at all times act honestly in every aspect of their work and be open and transparent when making decisions and providing advice to East Waste.
- 3.4. East Waste staff and contractors, will at all times carry out their duties and functions and treat others with professionalism, courtesy and respect.

3.5. East Waste staff and contractors will at all times carry out their duties and functions in a manner which promotes public confidence and trust in the integrity and professionalism of East Waste.

3.6. East Waste staff and contractors, will at all times respect and uphold the law and resolutions made by the East Waste Board.

## **4. Policy**

### **4.1. Conduct Required of East Waste Staff and Contractors**

All East Waste staff and contractors must comply with the following behavioural standards at all times, whilst carrying out their duties and functions:

#### **4.1.1 General Standards**

- Act honestly at all times in the performance of official duties, as required by Section 109(1) of the *Local Government Act 1999* (the Act).
- Act with reasonable care and diligence at all times in the performance of official duties, as required by Section 109(2) of the Act.
- Act within the parameters of their position and authority at all times.
- Undertake their duties and functions in a professional manner at all times.
- Act in a reasonable, just, respectful and non-discriminatory way at all times when dealing with all people.
- Comply with any applicable codes of practice, legislation and regulations (as amended from time to time), decisions of East Waste Management, reasonable lawful direction given in connection with the performance of their duties and functions and relevant East Waste policies and procedures.

#### **4.1.2 Use of East Waste Resources**

- Use East Waste facilities, resources and equipment in a safe, efficient and proper manner, and in accordance with all applicable laws, codes and regulations at all times.
- Only use East Waste facilities, resources and equipment for East Waste-related and approved purposes unless authorised by the General Manager to do so in writing prior to the planned activity.

#### **4.1.3 Information**

- Deal with information which is received in their capacity as an East Waste staff member or contractor, in a responsible manner and in accordance with the East Waste's privacy and confidentiality requirements, and otherwise in accordance with the law.
- Not release or divulge information that the East Waste Board or General Manager has ordered be kept confidential, or that the East Waste staff member or contractor, should reasonably know is information that is confidential, including

information that is considered by the Board or the General Manager in confidence, subject to the *Ombudsman Act 1972* and the *Independent Commission Against Corruption Act 2012* and where disclosure is otherwise required or authorised by law.

- Not make improper use of information, including confidential information, acquired by virtue of their position.
- Endeavour to provide accurate information to East Waste or to the public at all times.

#### 4.1.4 Use of position

- Not abuse or make use of their authority or position in order to gain a benefit or advantage for, or avoid a detriment to, themselves or another person.

#### 4.1.5 Presentation

- Ensure personal presentation (dress and appearance) is appropriate for the duties and functions required to be undertaken in their respective role
- Wear any corporate and/or personal safety equipment as required by reasonable lawful direction or as otherwise required by law.
- Adhere to East Waste's Dress Code Policy.

#### 4.16 Health and Safety

- Take reasonable care that their acts and omissions do not adversely affect the health and safety of themselves or any other persons, as required by the *Work Health and Safety Act 2012*.

#### 4.17 Public Comment

- East Waste's Independent Chairperson and General Manager are the only persons who are authorised to make public statements on behalf of East Waste. However, in certain circumstances, the Independent Chairperson or General Manager may authorise another staff member to make a media statement.
- Whether in relation to their duties, other East Waste staff, contractors, Member Council Management, or any East Waste matter employees and contractors may:
  - not make public comment on behalf of East Waste unless specifically authorised to do so.
  - not engage in any public criticism or make disparaging or denigrating comments (including on social media) about East Waste, its staff and/or any decisions which are made by the East Waste Board.

#### • 4.2 General Guidelines for Appropriate Conduct and Decision Making

East Waste staff and contractors must follow the guidelines which are set out below, when taking action or making a decision in the course of carrying out their duties and functions. Reasonable documentation should be retained as a corporate record to evidence decisions.

### 4.2.1 Is the act or decision lawful?

What are the applicable codes of practice, legislation and regulations, policies and procedures, lawful directions given, and East Waste Board resolutions (if any) concerning the act or decision?

If unknown, what further training, research, advice or direction is required?

### 4.2.2 Is the act or decision consistent?

Is the act or decision consistent with previous acts or decisions made by East Waste staff/contractors, East Waste Policies and Procedures, and objectives under East Waste's 10 Year Business Plan?

### 4.2.3 What is the anticipated outcome?

What is the known or reasonably anticipated outcome or effect on other East Waste staff and contractors, the East Waste Board or Member Council's (as applicable)?

This could include, but is not limited to, a financial, political, social, reputational, emotional or physical effect.

### 4.2.4 Does the known or anticipated outcome lead to any real or perceived breach or non-compliance?

Consider potential breach of or non-compliance with of any contract in place, codes of practice, relevant legislation and regulation, Policies and Procedure, East Waste Board resolutions or lawful directions given.

### 4.2.5 Can the act or decision be justified?

Consider legal compliance, the principal roles and functions of East Waste as detailed in the East Waste Charter, public interest and reputation of East Waste.

## 4.3 General Guidelines in relation to Conflicts of Interest

4.3.1 An East Waste staff member or contractor, has an '*interest*' in a matter before the East Waste Board if they, or a person closely associated with them (as defined by Section 120 (5)), of the *Local Government Act 1999*, would:

- Receive, or have a reasonable expectation of receiving, a benefit (whether direct or indirect, pecuniary or non-pecuniary); or
- Suffer, or have a reasonable expectation of suffering, a detriment (whether direct or indirect, pecuniary or non-pecuniary).

if they were to act in a particular manner in relation to the matter (including, for instance, if they were to make a particular decision).

4.3.2 Where an East Waste staff member or contractor has an 'interest' in a matter before the Board, and they are required or authorised to act in relation to that matter in the course of their official duties, they must (in accordance with Section 120(2) of the *Local Government Act 1999*):

- Disclose the interest to the General Manager; and

- Must not act in relation to the matter unless the General Manager otherwise determines.

4.3.3 Where an East Waste staff member or contractor, is entitled to act in relation to the matter (by determination of the General Manager) and is providing advice or making recommendations to the East Waste Board or an East Waste committee on that matter, they must also disclose their interest to the Board or committee (as relevant), in accordance with Section 120(4) of the Local Government Act 1999.

4.3.4 The above is not intended to cover all requirements relating to conflict of interest under the *Local Government Act 1999* and East Waste staff members and contractors, should familiarise themselves with Section 120 of the Act.

#### 4.4 Register of Interests

East Waste staff must adhere to the statutory requirements to lodge a primary return and submit an ordinary return in accordance with Sections 113, 114 and 115 of the *Local Government Act 1999* if they have been declared by the East Waste Board to be subject to those provisions.

Key Management personnel may be required to complete an annual Related Party Disclosure.

#### 4.5 Gifts and Benefits

East Waste requires employees to report gifts or benefits which are received (including hospitality). The threshold of the declaration of gifts and benefits at East Waste has been set at \$0. This means that all and any gifts and benefits, irrespective of the value, must be declared to the General Manager.

A Register of Gifts and Benefits must also be maintained by the General Manager.

##### 4.5.1 General Guidelines

East Waste staff and contractors must not:

- seek gifts or benefits of any kind.
- seek out or accept any gift or benefit that is (or could reasonably be taken to be) intended or likely to:
  - create a sense of obligation on the part of the staff member or contractor to another person; or
  - influence the staff member or contractor in the performance or discharge of their functions or duties.
- seek out or accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with East Waste.
- East Waste staff and contractors must declare and surrender all gifts and benefits of **any value** which they may be offered or receive (including those gifts and benefits which they decline) to the General Manager. Gifts and benefits of any value may not be kept by the recipient unless authorised by the General Manager.

### 4.5.2 Bribes and Improper Inducements

#### 4.5.2.1 East Waste staff and contractors must not:

- accept or solicit a bribe or other improper inducement that would or might reasonably be perceived to influence the performance of their East Waste duties and functions.
- accept or solicit a benefit from any person or organisation where there is a real or perceived risk of compromise or conflict of interest in the performance of their East Waste duties and functions.

#### 4.5.2.2 '*Benefit*', '*bribe*' and '*other improper inducement*' include, but shall not be limited to, the offer or provision of:

- Free or reduced entertainment costs (i.e. paid tickets), meals or drinks.
- Free or reduced travel costs and/or accommodation; or
- Free or reduced cost of goods or services of any kind, including vouchers and payment plans.

#### 4.5.2.3 None of the above prevents East Waste staff and contractors from accepting reasonable hospitality provided in the context of performing their duties or functions in conjunction with:

- East Waste functions or events.
- East Waste work-related events such as training, education sessions, workshops and conferences.
- Social functions organised by groups such as community organisations (subject to approval from the General Manager).
- Attendance at local social, cultural or sporting events (subject to approval from the General Manager).

### 4.5.3 Criminal Matters

#### 4.5.3.1 East Waste staff and contractors are required to notify their respective Manager, of any criminal charges or convictions made or pending against them (including driving offences and loss of drivers' licence, excluding expiable offences) at any time during the course of their employment or engagement by East Waste. This information will be treated as confidential.

#### 4.5.3.2 Where criminal proceedings are taken against staff, unrelated to their employment with East Waste, and which result in a conviction, this may be considered a breach of this Policy, in addition to a breach of any contract of employment, and disciplinary action (including termination of employment) may be taken by East Waste.

### • Legislation

*Independent Commission Against Corruption Act 2012*

*Local Government Act 1999*

*Work Health and Safety Act 2012*

### • Related Documents

East Waste Charter

East Waste Dress Code Policy

South Australia Municipal Officers Award

Local Government Employees Award

East Waste Enterprise Agreement


[ICAC Directions and Guidelines for Public Officers](#)

### • Review

This Behaviour Standards Policy shall be reviewed at minimum within three (3) years of issued date or more frequently if legislation or organisational needs change.

The review may include or be initiated by:

- Feedback from managers, workers, or other stakeholders;
- Legislative compliance;
- Other relevant information.

Signed   
Independent Chairperson

Date 27/02/2025

Signed   
Acting General Manager

Date 27/02/2025

### • Document History

Version No:	Issue Date:	Description of Change:
1.0		New Document 11 May 2018
2.0	24/02/2022	Revised for compliance with changes to Local Government Act 1999
3.0	27/02/2025	Amended to new template